

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANGELO CARZOGLIO

PETITIONER,

VINCENT PAUL, COUNTY COURT OFFICER  
SGT. #526; DEIDRE CARROLL, COUNTY  
COURT OFFICER #7241; JOHN RHODES,  
COUNTY COURT OFFICER #6059,

DEFENDANT'S.

RECEIVED  
AUG 23 2019  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
APPLICATION FOR APPOINTMENT  
OF COUNSEL AND SUPPORTING  
AFFIDAVIT

Civil Case No.:  
17-CV-3651(NSR)

I, Angelo Carzoglio, am the Petitioner in the above entitled case and hereby request the Court to appoint Counsel. Pursuant to 28 U.S.C. §1915(e)(1). Plaintiff moves for an ORDER on a: MOTION FOR APPOINTMENT OF COUNSEL AND SUPPORTING AFFIDAVIT, I state that:

- 1] Plaintiff is unable to afford Counsel. He has requested leave to proceed in forma pauperis.
- 2] Plaintiff's imprisonment will greatly limit his ability to litigate. The issues involved in this case are complex, and will require significant research and investigation. Plaintiff has limited access to the law library and limited knowledge of the law.
- 3] I have a 12th Grade Education with little Legal education.
- 4] Counsel is expert in the field of law, and can point out pitfalls and opportunities for constructive convergence of interest. Counsel knows and studies existing State, Local and Federal Laws and Regulations. Counsel would avoid existing legal provisions, especially within the law [consolidated or unconsolidated] being amended. Counsel can review the forms, too see if it is comprehensible to the ordinary person who must comply. Where Petitioner, however, is not an expert in the field of law, and can only understand, as well as comprehend what he reads.
- 5] A Trial in this case will likely involve conflicting testimony, and Counsel would better enable Plaintiff to present evidence and cross examine witnesses.
- 6] Plaintiff has made repeated offers to obtain a lawyer. Attached to this motion are nine(9) total letters and answers to Law Firms and Attorneys in the Private and Public Sector in my effort to obtain Counsel. I have attached to this motion the correspondence USDC SDNY I have mailed and received in answer from attorneys I've contacted.

DOCUMENT

ELECTRONICALLY FILED

DOC #:

DATE FILED: 8/23/2019

I declare under the penalties of perjury that my answers to the forgoing questions are true to the best of my knowledge.

I understand that if I am assigned Counsel and my Counsel learns, either from myself or elsewhere, that I can afford an Attorney, the Counsel may give this information to the Court.

I understand that if my answers on my Application to Proceed In Forma Pauperis are false, my case can be dismissed.

I hereby waive my privilege of Attorney-Client confidentiality to the extent necessary for my appointed Counsel to make an Application to be relieved as provided in the Procedures regarding Appointment of Counsel in Pro-Se Civil Action.

Dated: August , 2019.  
Attica, New York

Angelo Carzoglio  
Angelo Carzoglio #18A0399  
Petitioner, Pro-Se  
Attica Corr. Fac.  
639 Exchange Street  
P.O. Box-149  
Attica, New York 14011-0149

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANGELO CARZOGLIO

PETITIONER,

AFFIRMATION OF SERVICE

VINCENT PAUL, COUNTY COURT OFFICER  
SGT.#526; DEIDRE CARROLL, COUNTY  
COURT OFFICER #7241; JOHN RHODES,  
COUNTY COURT OFFICER #6059,

17-CV-3651(NSR)

DEFENDANT'S.

I, Angelo Carzoglio, declare under penalty of perjury that I have served a copy of the attached, APPLICATION FOR APPOINTMENT OF COUNSEL AND SUPPORTING AFFIDAVIT, upon, The Clerk of the Court, Hon. Nelson S. Roman, whose address is: United States District Court Judge, United States District Court for the Southern District of New York, Federal building and United States Courthouse, 300 Quarropas Street, White Plains, New York 10601.

Dated: August , 2019.  
Attica, New York

Angelo Carzoglio  
Angelo Carzoglio #18A0399  
Petitioner, Pro-Se  
Attica Corr. Fac.  
639 Exchange Street  
P.O. Box-149  
Attica, New York 14011-0149

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANGELO CARZOGLIO

PETITIONER,

CERTIFICATE OF SERVICE

VINCENT PAUL, COUNTY COURT OFFICER  
SGT. #526; DEIDRE CARROLL, COUNTY  
COURT OFFICER #7241; JOHN RHODES,  
COUNTY COURT OFFICER #6059,

17-CV-3651(NSR)

DEFENDANT'S.

I, Angelo Carzoglio, hereby certify under penalty of perjury that on August , 2019, I served by United States mail a copy of, APPLICATION FOR APPOINTMENT OF COUNSEL AND SUPPORTING AFFIDAVIT, and The Clerk of the Court, Hon. Nelson S. Roman, at:

United States District Court Judge  
United States District Court for the  
Southern District of New York  
Federal Building and United States Courthouse  
300 Quarropas Street  
White Plains, New York 10601

*Angelo Carzoglio*  
ANGELO CARZOGLIO

C.c. Michael J. Siudzinski  
Assistant Attorney General  
120 Broadway  
New York, N.Y. 10271

BARCLAY DAMON LLP  
Sanjeev Devabhaktuni: Associate  
2000 Five Star Bank Building  
100 Chestnut Street  
Rochester, New York 14604

BENNETT BRICKLIN & SALTZBURG, LLC  
Thomas J. Bracken, Esq.  
50 Broad Street, Suite 1609  
New York, N.Y. 10004

Sean T. Carey (SC8804)  
Assistant County Attorney, of Counsel  
148 Martine Avenue, Room 600  
White Plains, New York 10601

Angelo Carzoglio #18A0399  
Attica Correctional Facility  
639 Exchange Street  
P.O. Box-149  
Attica, N.Y. 14011-0149

October 25th, 2018

TO: TRACIE A. SUNDACK & ASSOCIATES, L.L.C.  
ATTORNEYS AT LAW  
MISS. TRACIE A. SUNDACK  
19 COURT STREET  
THIRD FLOOR  
WHITE PLAINS, NEW YORK 10601

RE: Civil Rights Cases/42 U.S.C. §1983-Case No.:17-CV-3651(NSR)/Case No.:18-CV-4198(NSR)/Case No.:18-CV-7780(NSR), Counsel Representation

Dear Miss. Sundack:

I am writing you because I was referred by a prisoner that not only has spoken highly of you and your profession and your past representation of his legal ordeal. As you can see I've filed three 42 U.S.C. §1983 Civil Rights Complaints.

("see ORDER OF SERVICE attached").

I understand that you are a retained counsel and you are involved in many cases. I wish not to place a burden on you by requesting if you may take a look at my Civil Cases, or if you may also consider or refer my case to another attorney who handles Civil Cases. Eventually, someone can see that these cases are no where near frivolous.

Please allow me to give some details on each complaint.

On Case No.:17-CV-3651(NSR), is against three New York State Supreme Court Officers, they attacked, assaulted and deprived me of my 6th Amendment of the Constitution. I was presently at the time accused on a criminal matter which I was granted Pro-Se status. This incident was captured on video surveillance, there were also two corrections officers that not only witnessed the incident but had to actually get physically involved to separate them from beating and assaulting me. There were no criminal charges lodged against me.

The second Civil Case No.:18-CV-4198(NSR), is against numerous jail guards, a jail official, a healthcare gatekeeper, a former senior jail guard supervisor, Thomas Abrams, and the Aramark Corp.. Thomas Abrams is

presently incarcerated, he's been convicted for child sex crimes, he ordered he ordered four jail guards, two jail guard supervisors to search, sexually assault and verbally use sexual abusive language towards me. There's also harassment and verbal threats by a healthcare gatekeeper, which is employed by Correct Care Solutions, there's also a complaint against Aramark Corp. for excessive pricing, and also against the Westchester Department of Corrections on illegal false imprisonment and violation of the Equal Protection Clause.

The third Civil Case No.:18-CV-7780(NSR), is defendants which are co-conspirators/co-defendants of Thomas Abrams from Civil Case No.:18-CV-4198(NSR), these defendants were ordered by Thomas Abrams to conduct the harassment of searching, assaulting and verbally harassing me.

It's difficult for me to continue to represent myself on these civil matters I've filed, due to the effort and time I need to invest and dedicate myself on my pending criminal appeal which I really need to focus on.

I would really appreciate it to take some time in viewing the Electronic File or if there's anything you would like for me to provide, I would be more then gladly to do it.

Thank you for taking the time to do this.

Cordially,

  
ANGELO CARZOOLIO

C.c. FILE

Angelo Carzoglio #18A0399  
Attica Corr. Fac.  
639 Exchange Street  
P.O. Box-149  
Attica, New York 14011-0149

*Rejected*

March 8, 2019

TO: BRIAN DRATCH/FRANBLAU DRATCH, ESQ.  
ATTORNEY'S AT LAW  
233 BROADWAY  
NEW YORK, N.Y. 10279

Re: Civil Rights/42 U.S.C. §1983-Case No.:17-CV-3651(NSR). Case  
No.:18-CV-4198(NSR), Case No.:18-CV-7780(NSR)/Counsel  
Representation/Pro-Bono

TO WHOM IT MAY CONCERN:

I am writing you because I have filed three(3) separate 42 U.S.C. §1983 Civil Rights Complaints. (See ORDER OF SERVICE attached).

I've read a case I received in my subscription of Pro-Se that you've represented. I can see that you are very well experienced in these types of cases. I am in need of counsel representation, I'm also asking if you can spare some of your time in viewing my cases that are filed, hopefully you will consider or maybe you can refer it to another attorney if possible.

Please allow me to give some details on the pending complaints.

On Case No.:17-CV-3651(NSR), is against three(3) New York State Court Officers!! they attacked, assaulted and deprived me of my 6th amendment of the constitution, I was granted the right to continue Pro-Se on an accused criminal matter, when several Court Officers denied me that right then assaulted me. This altercation was captured on surveillance video and there are also two Westchester County Corrections Officers that are witnesses to this attack who also tried to defuse the situation and also given written reports on what actually happened. also!! no criminal charges were filed against me.

Second case No.:18-CV-4198(NSR), is against numerous defendants, jail guards, jail guard official, a healthcare gatekeeper, Aramark Corp., and a former senior jail guard supervisor, Thomas Abrams, which is presently incarcerated in a N.Y.S. Correctional Facility on child sex crimes. this individual ordered jail guards and jail guard supervisors to sexually and verbally assault!! harass and excessively tamper, search remove and destroy law/legal material!! these jail guards are also his co-defendants on a separate civil complaint filed. These events were also captured on the institutions surveillance video.

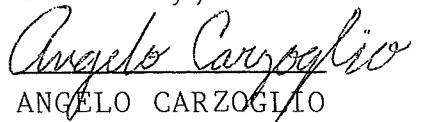
The third, Case No.:18-CV-7780(NSR), is against the co-defendants/co-conspirators to the second civil complaint, there are also numerous Due Process Violations and excessive Violations

of the Equal Protection Clause, there's also price gouging and fraud by the Aramark Corp., all these violations taken place at the Westchester County Correctional Facility.

It is difficult for me myself to continue to proceed in representing myself due to my extensive research in preparing my brief for my direct appeal during this present moment, hopefully you can understand and consider the cases I've filed.

Thank you for taking time in reading this letter.

Cordially,

  
ANGELO CARZOGLIO

C.c. FILE

JONES DAY

250 VESEY STREET • NEW YORK, NEW YORK 10281-1047  
TELEPHONE: +1.212.326.3939 • FACSIMILE: +1.212.755.7306

Direct Number: (212) 326-8367  
rmuttreja@jonesday.com

March 13, 2019

Angelo Carzoglio, No. 18A0399  
Attica Correctional Facility  
639 Exchange Street  
P.O. Box 149  
Attica, NY 14011-0149

Dear Mr. Carzoglio:

I am writing in response to your February 28, 2019 letter to me, requesting legal representation. I regret to inform you that I will not be able to represent you, but I wish you the best of luck. For assistance in securing pro bono representation, you may wish to contact Prisoners' Legal Services of New York, located at 14 Lafayette Square, Suite 510, Buffalo NY 14203, or the Legal Aid Society, located at 199 Water St., New York NY 10038. (*Civil Practice*)

Very truly yours,



Rajeev Muttreja

**SHER TREMONTE LLP**

April 4, 2019

**BY MAIL**

Angelo Carzoglio #18A0399  
Attica Correctional Facility  
639 Exchange Street  
P.O. Box 149  
Attica, NY 14011-0149

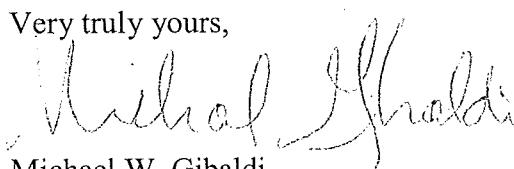
**Re: Your Letter dated March 30, 2019**

Dear Mr. Carzoglio:

Thank you for your letter and your interest in our firm. We receive many letters from people seeking assistance and, unfortunately, we are unable to provide it in every instance. Although we cannot make any promises to represent you, we would be pleased to hear more about your situation and the details of what exactly occurred. Please feel free to send us additional materials, including the complaints in your cases, to explain your case in further detail.

We look forward to hearing from you.

Very truly yours,



Michael W. Gibaldi

## Franzblau Dratch, P.C.

S.M. Chris Franzblau  
Stephen N. Dratch\*  
Julian Wilsey  
Brian M. Dratch†  
Shay Shailesh Deshpande\*

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Main Office (973) 992-3700  
Telecopier (973) 992-7945 or (973) 994-0130  
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OF COUNSEL  
Richard E. Mischel\*  
Allen B Pearl  
Sanford F. Young\*  
Adam D. Dratch\*

\* NJ & NY BAR  
^ PA & CA BAR  
+ CERTIFIED BY THE SUPREME COURT OF NJ  
AS A MATRIMONIAL ATTORNEY  
□ CERTIFIED BY THE SUPREME COURT OF NJ  
AS A CIVIL TRIAL ATTORNEY

Writer's Direct Dial: (973) 533-7285  
April 9, 2019

Angelo Carzoglio DIN# 18A0399  
Attica Correctional Facility  
639 Exchange Street /P.O. BOX 149  
Attica, New York 14011-0149

Dear Mr. Carzoglio:

I would like to thank you for corresponding with our law firm with regard to your legal matter.

After a thorough review and careful consideration, unfortunately, our office will not be able to pursue a claim on your behalf. However, we are in no way offering any opinions as to the merits of your claim, but rather, simply stating that at this time, we are not able to handle this matter for you.

Please be advised that every case does have applicable time limitations within which you must commence a lawsuit or you could forever be barred from doing so. Thus, if you do decide to pursue this matter further, we advise you to contact another attorney immediately.

To the extent that you have provided us with any papers, I am enclosing them back to you herein. I thank you again for consulting with us in connection with this matter and we wish you only the best.

Very Truly Yours,

**Brian M. Dratch /ni**

BRIAN M. DRATCH

BMD/ni  
Enclosures

Angelo Carzoglio #18A0399  
Attica Corr. Fac.  
639 Exchange Street  
P.O. Box-149  
Attica, New York 14011-0149

May 12th, 2019

TO: MR. MICHAEL GIBALDI, ESQ.  
SHER TREMONTE LLP  
90 BROAD STREET, 23RD FLOOR  
NEW YORK, N.Y. 10004

Re: Carzoglio v. Abrams, Civil Action No. 18-cv-4198(S.D.N.Y.)/  
Copies: Notice to Court of Service of Motion Papers

Dear Mr. Gibaldi:

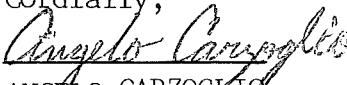
I am forwarding you copies of what I recently received by the defendants counsels, I am requesting if you may point me into the right direction on what steps I should take or some advice on what should I look into so I can prepare my response to there motion to dismiss. (See Attached)!

Maybe a case law or two you can provide me so I can convince the court not to dismiss my complaints ?

I get very minimal time in the law library where I'm presently incarcerated, but the little time I do have I've been into my research on my appeal, now this has arrived, but I think I have alittle time if I'm not mistaken. I must respond by July 3rd, 2019, so I think I should have some time.

Any advice or anything you can provide me so I can start my Plaintiff Response would be very appreciative.

Thank yoy.

Cordially,  
  
ANGELO CARZOGLIO

P.S. If it helps, I'm willing to agree on a "contingency fee", one-third !

C.c. FILE

SHER TREMONTE LLP

May 22, 2019

**BY MAIL**

Angelo Carzoglio  
DIN #18A0399  
Attica Correctional Facility  
P.O. Box 149  
Attica, NY 14011-0149

**Re: Your recent letters**

Dear Mr. Carzoglio:

Thank you for your letters and your continued interest in our firm. As you know, we receive many letters from people seeking assistance, but we are unable to provide assistance in every case. We have reviewed the materials that you have sent us, including the recent filings in your federal case. Unfortunately, we cannot represent you in this matter, but we wish you well in your future endeavors.

Very truly yours,



Michael W. Gibaldi



5030 Broadway, Ste. 652

New York, NY 10034

P: (718) 852-3710

F: (718) 852-3586

[www.stollglickman.com](http://www.stollglickman.com)

Angelo Carzoglio, DIN 18A0399  
Attica Correctional Facility  
639 Exchange St  
Attica, New York 14011-0149

June 21, 2019

Dear Mr. Carzoglio -

After carefully considering your cases, unfortunately we have concluded that we cannot represent you. We wish you the best of luck in pursuing the matters. Thank you for reaching out to our firm.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leo Glickman'.

Leo Glickman

Angelo Carzoglio #18A0399  
Attica Corr. Fac.  
639 Exchange Street  
P.O. Box-149  
Attica, New York 14011-0149

July 20, 2019

TO: ROBERT SOSHНИCK, ESQ.  
ATTORNEY AT LAW  
125-10 QUEENS BLVD., SUITE #308  
KEW GARDENS, NEW YORK 11415

Re: Civil Rights Cases/42 U.S.C. §1983-Case No.:17-cv-3651(NSR)/Case No.:18-cv-4198(NSR)/Case No.:18-cv-7780(NSR),  
Counsel Representation

Dear Mr. Soshnick:

I am forwarding you this correspondence because I was referred by a client of yours, Mr. Greenland.

I was in the process of submitting an: APPLICATION FOR APPOINTMENT OF COUNSEL AND SUPPORTING AFFIDAVIT, to the Southern District Federal Court. I have three(3) pending/active Civil Suits as you can see mentioned above, (See attached, ORDER OF SERVICE).

I have submitted several letters to different attorney's for counsel representation on the pending civil suits, but no one has excepted.

Please allow me to give some details on each complaint.

On Case No. :17-cv-3651(NSR), is against three(3) New York State Supreme Court Officers, they attacked, assaulted and deprived me of my 6th Amendment of the Constitution. I was at the time granted and allowed to appear Pro-Se during a pending criminal indictment. When the Supreme Court Officers would not allow me to appear in front of the judge unless relinquish from representing myself. When I didn't agree the officers

demand, they entered the holding cell right outside the court room and attacked and assaulted me, this was all recorded on surveillance cameras, in two different locations. There's two witnesses to this assault, both are corrections officers from the Westchester Department of Corrections. They also submitted their report on the altercation.

There were never any criminal charges filed against me, that's because the cameras were viewed by the County Police Department.

On Case No. :18-cv-4198(NSR), is against Westchester County Jail, a former senior jail guard (Capt.), several jail guard supervisors, a healthcare gatekeeper, of Correct Care Solutions, a jail official and the Aramark Corporation. The former senior jail guard supervisor (Capt.), Thomas Abrams, is presently incarcerated in a New York State Correctional Facility, he's convicted of child sexual charges.

The third Civil Case No. :18-cv-7780(NSR), or the co-defendants of Thomas Abrams, several other jail guard supervisors and the jail official.

One of the law firms that I've submitted all three(3) of the civil complaints I've filed did not except to take the case, only upon your request if you wish to view all of them I'm willing to forward the attorney to mail all three complaints to your office. The latest action on one of the complaints was a: PRO-SE LITIGANT OPPOSITION MOTION TOWARDS DEFENDANTS F.R.C.P. RULE 12(b)(6), on Civil Action No. :18-cv-4198(NSR).

I had to have that submitted before July 3, 2019.

It's difficult for me to continue as a Pro-Se litigant on

these Civil Suits, one because I'm actively and presently in the process of preparing my supplementary brief for the appellate division on the pending disposition of my indictment. I also am not receiving the time I'm in need of at the facility law library.

If it helps, I'm prepared to agree on some sort of "contingency fee", one third on each of the complaints or however you deem fit to the agreement if you decide on the representation.

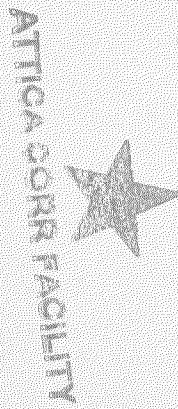
Thank you for taking the time in reading this correspondence.

Cordially,  
*Angelo Carzoglio*  
ANGELO CARZOGLIO

C.c. FILE

Angel Carzoglio #18A0399  
Attica Corr. Fac.  
630 Exchange Street  
P.O. Box-149  
Attica, New York 14011-0149

TO: THE CLERK OF THE COURT  
HON. NELSON S. ROMAN  
UNITED STATES DISTRICT COURT FOR THE  
UNITED STATES DISTRICT OF NEW YORK  
SOUTHERN DISTRICT AND UNITED STATES  
FEDERAL BUILDING AND  
COURTHOUSE  
300 QUARROPS STREET  
WHITE PLAINS, NEW YORK 10601



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